

Docket No: 296895US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: Frank-Martin PETRAT, et al.

SERIAL NUMBER: 10/594,995

FILED: July 26, 2007

FOR: NANOSCALAR SILICON PARTICLES IN NEGATIVE ELECTRODE MATERIALS
FOR USE IN LITHIUM-ION BATTERIES

REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE

Commissioner for Patents
Mail Stop PCT
Alexandria, Virginia 22313

The U.S. PCT Receiving Branch is requested to provide a corrected Notification of Acceptance under 35 USC 371 for the following reasons:

The Date of Receipt of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements is incorrect.
AND
The Date of Receipt of all 35 U.S.C. 371 requirements is incorrect.

Applicant believes that the correct date is July 26, 2007, the date of the filing the Executed Declaration. A copy of the Electronic Acknowledgment Receipt is attached.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney for Applicant
Reg. No. 24,618
Surinder Sachar
Reg. No. 34,423

CUSTOMER NUMBER
22850

TEL: (703) 413-3000

Corwin P. Umbach, Ph.D.
Registration No. 40,211



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/594,995	Frank-Martin Petrat	296895US0PCT
INTERNATIONAL APPLICATION NO.		
PCT/EP05/51238		
I.A. FILING DATE	PRIORITY DATE	
03/17/2005	04/01/2004	
CONFIRMATION NO. 3290		
371 ACCEPTANCE LETTER		
OC000000025564683		

Date Mailed: 08/30/2007

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>06/26/2007</u>	<u>06/26/2007</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the *international filing date of the international application (Article 11(3) and 35 U.S.C. 363)*. Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 09/29/2006
- Copy of the International Search Report filed on 09/29/2006
- Preliminary Amendments filed on 09/29/2006
- Information Disclosure Statements filed on 02/01/2007
- Oath or Declaration filed on 06/26/2007
- Request for Immediate Examination filed on 09/29/2006
- U.S. Basic National Fees filed on 09/29/2006
- Assignment filed on 06/26/2007
- Priority Documents filed on 09/29/2006
- Specification filed on 09/29/2006
- Claims filed on 09/29/2006

RECEIVED: 8/31/07
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT.
Initials/Date Docketed: PP 8/31/07
Type of Resp(s): _____
Due Date(s): _____

- Abstracts filed on 09/29/2006
- Drawings filed on 09/29/2006

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PATRICIA A BOOKER
Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

Electronic Acknowledgement Receipt

EFS ID:	2016812
Application Number:	10594995
International Application Number:	
Confirmation Number:	3290
Title of Invention:	Nanoscalar silicon particles in negative electrode materials for use in lithium-ion batteries IMAGE FILE WRAPPER CHECKED: <u>af 7/26/07</u>
First Named Inventor/Applicant Name:	Frank-Martin Petrat
Customer Number:	22850
Filer:	Marvin Jay Spivak/Chai Xiong
Filer Authorized By:	Marvin Jay Spivak
Attorney Docket Number:	296895US0PCT
Receipt Date:	26-JUL-2007
Filing Date:	
Time Stamp:	18:26:27
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1		296895usResponse.pdf	5417217 c7f136f4b1b8741374888abee3b3c802 de4d6033	yes	36

Multipart Description/PDF files in .zip description			
	Document Description	Start	End
	Applicant Response to Pre-Exam Formalities Notice	1	1
	Oath or Declaration filed	2	36
Warnings:			
Information:			
Total Files Size (in bytes):		5417217	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.